

No. PD-0748-17

IN THE
COURT OF CRIMINAL APPEALS OF TEXAS
FILED
COURT OF CRIMINAL APPEALS
1/3/2018
DEANA WILLIAMSON, CLERK

KELSEY JO LACKEY	§	COURT OF APPEALS NO.
	§	10-17-00016-CR
V.	§	
	§	DISTRICT COURT NO.
THE STATE OF TEXAS	§	13-04695-CRF-272

STATE'S MOTION FOR EXTENSION OF TIME
TO FILE STATE'S BRIEF

COMES NOW, the State of Texas, by and through its Assistant District Attorney, Douglas Howell, III, and respectfully requests that the Court grant an extension of time to file the State's Brief in the above reference cause.

The State would show in support of her action that:

1. The case is styled the State of Texas v. Kelsey Jo Lackey, cause no. 13-04695-CRF-272, in the 272nd District Court, Brazos County, Texas.
2. On March 20, 2017, the Tenth Court of Appeals dismissed the appeal in case no. 10-17-00016-CR. TEX. R. APP. P. 25.2(d).
3. On December 4, 2017, Appellant filed his brief. The State's brief is due on January 3, 2018.
4. The length of time requested is until February 2, 2018.
5. This is the first request for an extension.
6. And as good cause the State's attorney, Douglas Howell, III, would show this Court that this request is made because he has filed the following State's brief/answer, involved in the following case setting or has the following response due:

- Williford et al v. General Motors LLC, Texas Southern District no. 4:17-cv-03002, State's brief in support of its Notice of Deposition on Written Questions for the Custodian of Records for Texas Department of Public Safety – Bryan and Motion for Protective Order, filed December 4, 2017.
- Gabriel Hall v. State, CCA no. AP-77,062 / Brazos County no. 11-06185-CRF-272, hearings on Appellant's motion to correct/reorganize the clerk's record in a death penalty appeal, held December 8 & 18, 2017.
- Ruiz v. State, no. 10-16-00247-CR, State's brief filed December 12, 2017.
- Ex parte D.D.G., no. 10-17-00123-CV, State's brief due January 5, 2018.
- The State's attorney was on vacation from December 15, 2017 through January 1, 2018.

This request is not made for purposes of delay but so that justice may be served.

Respectfully submitted,

/s/ Douglas Howell, III

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CERTIFICATE OF SERVICE

I, Douglas Howell, III, do hereby certify that a true and correct copy of the above State's Motion for Extension of Time to File State's Brief was emailed to:

- E. Alan Bennett at abennett@slm.law.
- State Prosecuting Attorney at information@spa.texas.gov.

on this the 3rd day of January, 2018.

/s/ Douglas Howell, III